

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

BOSTON SCIENTIFIC CORPORATION
and BOSTON SCIENTIFIC SCIMED, INC.,

Plaintiffs,

v.

CONOR MEDSYSTEMS, INC.,

Defendant.

Case No.: 05-768-SLR

JOINT CLAIM CONSTRUCTION STATEMENT

Pursuant to the Court's Amended Rule 16 Scheduling Order (D.I. 113), Plaintiffs Boston Scientific Corporation and Boston Scientific Scimed, Inc. (collectively "BSC") and Defendant Conor Medsystems, Inc. respectfully submit this Joint Claim Construction Statement.

JOINT LIST OF DISPUTED CLAIM TERMS OF THE JANG '021 PATENT

CLAIM TERM OR PHRASE	BSC'S PROPOSED CONSTRUCTION	CONOR'S PROPOSED CONSTRUCTION
"strut"	A structural member designed to withstand force.	An elongated structural member or bar designed to resist pressure.
"first connecting strut column formed of a plurality of first connecting struts"	<p>A column formed of at least two first connecting struts.</p> <p>To the extent the Court desires to further construe this claim phrase, a "connecting strut column" is a column formed solely of a plurality of connecting struts, as opposed to expansion or joining struts, unattached to each other and arranged along the circumference of the stent.</p>	A column formed solely of a plurality of connecting struts unattached to each other and arranged along the circumference of the stent.
"wherein the first expansion strut of the first expansion strut pair in the first expansion column has a longitudinal axis offset from a longitudinal axis of the first expansion strut of the second expansion strut pair in the second expansion column"	The first expansion strut in the first column does not share a longitudinal axis with the second expansion strut in the second column.	The terms in the "wherein" clause have the same meaning in claim 23 as in claim 1. This clause limits claim 23 to stents where the expansion strut pairs of the first expansion column are longitudinally offset from the expansion strut pairs of the second expansion column, thereby excluding stents with 180 degree out-of-phase designs.
"expansion column"	A tubular structure formed solely of a plurality of expansion strut pairs, as opposed to connecting struts, arranged in a column along the circumference of the stent.	A tubular structure formed solely by a plurality of expansion strut pairs arranged in a column along the circumference of the stent.

JOINT LIST OF UNDISPUTED CLAIM TERMS OF THE JANG '021 PATENT

CLAIM TERM OR PHRASE	PROPOSED CONSTRUCTION
"corner"	A place where two surfaces meet to form an angle.
"connecting strut"	A strut that connects adjacent expansion columns.
"joining strut"	A strut that couples two adjacent expansion struts within an expansion strut column.
"expansion strut pair"	A combination of two circumferentially adjacent expansion struts coupled at one end by a joining strut and open at the other end.

Dated: April 5, 2007

Respectfully submitted,

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